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<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 112843-041	
In Re Application Of: <b>Bruessow et al.</b>						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/049,368	May 9, 2002	D. Ware	24573	1651	1115	
Title: <b>BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA</b>						
<div style="display: flex; justify-content: space-between; align-items: center;"><div style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center; width: 150px;"><p>O I P E</p><p>OCT 26 2004</p><p>PATENT &amp; TRADEMARK OFFICE</p></div><div style="text-align: center;"><p>Address to:</p><p><b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b></p><p><b>37 CFR 1.97(b)</b></p><p>1.   <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p><p style="text-align: center;"><b>37 CFR 1.97(c)</b></p><p>2.   <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p><p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p><p style="text-align: center; margin-left: 100px;"><b>OR</b></p><p style="margin-left: 40px;"><input checked="" type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p></div></div>						

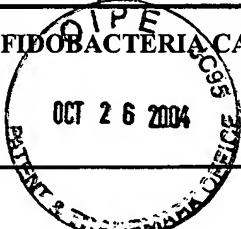
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
112843-041

In Re Application: **Bruessow et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/049,368	May 9, 2002	D. Ware	24573	1651	1115

Title: **BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA**



**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

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10/20/2004

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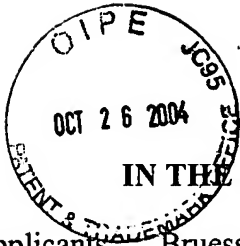
**\*This certificate may only be used if paying by deposit account.**

Dated: **October 20, 2004**

\_\_\_\_\_  
Signature

**Robert M. Barrett, Reg. No. 30,142**  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruessow et al.  
Appl. No.: 10/049,368  
Conf. No.: 1115  
Filed: May 9, 2002  
Title: BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA  
Art Unit: 1651  
Examiner: Ware, Deborah K.  
Docket No.: 112843-041

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of which are enclosed, be made during the course of examination of the above-identified application for United States patent.

**FOREIGN PATENT DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
EP 0577903 B1	December 17, 1997	EPO
WO 97/00078	June 12, 1996	PCT

**OTHER DOCUMENTS**

B.J.B. Wood and W.H. Holzapfel, "*The Genus Bifidobacterium*": "Genera of Lactic Acid Bacteria", Blackie A&P, pp. 279-306 (1995).

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Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

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Dated: October 20, 2004

<b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)  PTO Form 1449	Atty Docket No. 112843-041	Application No. 10/049,368
	Applicant Bruessow et al.	
	Filing Date May 9, 2002	Group 1651

[illegible][illegible]

Examiner's Initials		<b>OTHER DOCUMENTS</b> ( <i>Including Author, Title, Date, Pertinent Pages, Etc.</i> )
		B.J.B. Wood and W.H. Holzapfel, " <i>The Genus Bifidobacterium</i> ": " <u>Genera of Lactic Acid Bacteria</u> ", Blackie A&P, pp. 279-306 (1995).

<b>Examiner:</b>	<b>Date Considered:</b>
<p>*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	